

## **BILL ANALYSIS**

C.S.S.B. 652  
By: Hegar  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

State agencies undergo periodic review by the Sunset Advisory Commission (commission). The Legislature frequently changes the review schedule for certain agencies to balance the workload of the commission and to better align the reviews of agencies by grouping them based on subject matter. CSSB 652 serves this purpose of better aligning and grouping agencies set for Sunset review in upcoming biennia.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, institution, or agency.

### **ANALYSIS**

*CSSB 652 gives several agencies a 2013 Sunset date.*

CSSB 652 subjects the University Interscholastic League to Sunset review, but not abolishment, in 2013. The bill requires the University Interscholastic League to pay the costs of the review.

CSSB 652 subjects regional tollway authorities created under Chapter 366, Transportation Code to Sunset review, but not abolishment, in 2013. Currently, only one authority is created under Chapter 366 - the North Texas Tollway Authority. The bill requires the North Texas Tollway Authority to pay the costs of the review.

CSSB 652 subjects the Gulf Coast Water Authority to Sunset review, but not abolishment, in 2013. The bill requires the Gulf Coast Water Authority to pay the costs of the review.

CSSB 652 changes the Sunset date for the following agencies from 2015 to 2013:

- Texas Higher Education Coordinating Board,
- Texas Ethics Commission,
- Texas Windstorm Insurance Association,
- Texas State Board of Public Accountancy,
- Texas Board of Professional Engineers, and
- Texas Board of Architectural Examiners.

*CSSB 652 gives several agencies a 2015 Sunset date.*

CSSB 652 changes the Sunset date for the following agencies from 2013 to 2015:

- Finance Commission of Texas,
- Office of Banking Commissioner,
- Office of Savings and Mortgage Lending Commissioner and Department of Savings and Mortgage Lending,
- Office of Consumer Credit Commissioner,
- State Securities Board,
- Health and Human Services Commission,
- Tax Division of the State Office of Administrative Hearings,
- Texas Health Services Authority,
- Department of State Health Services,
- Department of Family and Protective Services,
- Texas Council for Developmental Disabilities,

- Governor’s Committee on People with Disabilities,
- Department of Assistive and Rehabilitative Services,
- Texas Council on Purchasing from People with Disabilities,
- Department of Aging and Disability Services, and
- Texas Workforce Commission.

CSSB 652 adds conforming language to the Sunset provisions of several agencies that were abolished and their functions transferred in the 2003 health and human services consolidation. These former agencies include the Texas Board of Health, Texas Department of Health, Texas Department of Mental Health and Mental Retardation, Texas Department of Human Services, Texas Commission for the Deaf and Hard of Hearing, Texas Commission for the Blind, and Texas Rehabilitation Commission. The bill conforms these former agencies’ Sunset provisions to the 2015 Sunset review date given to the current health and human services agencies.

***CSSB 652 gives several agencies a 2017 Sunset date.***

CSSB 652 changes the Sunset date for the following agencies from 2013 to 2017:

- Licensed Court Interpreter Advisory Board,
- Executive Council of Physical Therapy and Occupational Therapy Examiners,
- Texas Board of Physical Therapy Examiners,
- Texas Board of Occupational Therapy Examiners, and
- Texas Board of Orthotics and Prosthetics.

CSSB 652 changes the Sunset date for the following agencies from 2015 to 2017:

- Court Reporters Certification Board,
- State Bar of Texas,
- Board of Law Examiners, and
- State Board of Dental Examiners.

***CSSB 652 gives several agencies a 2019 Sunset date.***

CSSB 652 changes the Sunset date for the following agencies from 2015 to 2019:

- Department of Public Safety,
- Adjutant General’s Department,
- Texas Commission of Licensing and Regulation and Texas Department of Licensing and Regulation,
- Texas Funeral Service Commission,
- Texas Board of Professional Geoscientists,
- Texas Board of Professional Land Surveying,
- Texas State Board of Plumbing Examiners, and
- Texas Department of Motor Vehicles.

CSSB 652 changes the Sunset date for the Texas Veterans Commission from 2013 to 2019.

CSSB 652 changes the Sunset date for the School Land Board from 2017 to 2019.

***CSSB 652 gives several agencies a 2021 Sunset date.***

CSSB 652 changes the Sunset date for the following agencies from 2019 to 2021:

- Texas Animal Health Commission, and
- Prepaid Higher Education Tuition Board.

CSSB 652 changes the Sunset date for the Texas Guaranteed Student Loan Corporation from 2017 to 2021.

CSSB 652 changes the Sunset date for the following agencies from 2015 to 2021:

- Texas Economic Development and Tourism Office, and
- Office of State-Federal Relations.

*CSSB 652 removes one entity from the Sunset process.*

CSSB 652 removes the Sunset provision for the Board of Directors of the Official Citrus Producers' Pest and Disease Management Corporation. Existing law provides the Commissioner of Agriculture the authority to dissolve the Corporation.

**EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2011.

**COMPARISON OF ORIGINAL TO SUBSTITUTE**

CSSB 652 modifies the engrossed version as follows. The substitute removes the change to the Sunset date of the Guardianship Certification Board, so the Board will still be reviewed in 2015, rather than in 2013 as in the engrossed version. The substitute removes the provision from the engrossed version requiring a limited purpose review of the Windham School District within the Texas Department of Criminal Justice. The substitute changes the Sunset date for the Licensed Court Interpreter Advisory Board to 2017, rather than 2019 as in the engrossed version.

CSSB 652 adds new language to subject the University Interscholastic League, North Texas Tollway Authority, and Gulf Coast Water Authority to Sunset review, but not abolishment, in 2013 and require the entities to pay the costs of the reviews. CSSB 652 changes the Sunset dates for the following agencies, shown by year of abolishment, which were not included in the engrossed version of the bill.

- Agencies given a 2013 Sunset date:
  - Texas Higher Education Coordinating Board,
  - Texas Ethics Commission,
  - Texas Windstorm Insurance Association,
  - Texas State Board of Public Accountancy,
  - Texas Board of Professional Engineers, and
  - Texas Board of Architectural Examiners.
- Agencies given a 2015 Sunset date:
  - Finance Commission of Texas,
  - Office of Banking Commissioner,
  - Office of Savings and Mortgage Lending Commissioner and Department of Savings and Mortgage Lending,
  - Office of Consumer Credit Commissioner,
  - State Securities Board,
  - Health and Human Services Commission,
  - Tax Division of the State Office of Administrative Hearings,
  - Texas Health Services Authority,
  - Department of State Health Services,
  - Department of Family and Protective Services,
  - Texas Council for Developmental Disabilities,
  - Governor's Committee on People with Disabilities,
  - Department of Assistive and Rehabilitative Services,
  - Texas Council on Purchasing from People with Disabilities,
  - Department of Aging and Disability Services, and
  - Texas Workforce Commission.
- Agencies given a 2017 Sunset date:
  - Licensed Court Interpreter Advisory Board,
  - Executive Council of Physical Therapy and Occupational Therapy Examiners,
  - Texas Board of Physical Therapy Examiners,
  - Texas Board of Occupational Therapy Examiners,
  - Texas Board of Orthotics and Prosthetics,
  - Court Reporters Certification Board,
  - State Bar of Texas,
  - Board of Law Examiners, and
  - State Board of Dental Examiners.

- Agencies given a 2019 Sunset date:
  - Department of Public Safety,
  - Adjutant General's Department,
  - Texas Commission of Licensing and Regulation and Texas Department of Licensing and Regulation,
  - Texas Funeral Service Commission,
  - Texas Board of Professional Geoscientists,
  - Texas Board of Professional Land Surveying,
  - Texas State Board of Plumbing Examiners,
  - Texas Department of Motor Vehicles,
  - Texas Veterans Commission, and
  - School Land Board.
- Agencies given a 2021 Sunset date:
  - Texas Animal Health Commission,
  - Prepaid Higher Education Tuition Board,
  - Texas Guaranteed Student Loan Corporation,
  - Texas Economic Development and Tourism Office, and
  - Office of State-Federal Relations.

CSSB 652 adds conforming language to the Sunset provisions of several agencies that were abolished and their functions transferred in the 2003 health and human services consolidation. The substitute modifies the effective date by adding a necessary vote for immediate effect.